

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GEORGE F. KARL, III, an individual,

Case No. C17-05773 BHS

Plaintiff,

**DEFENDANT'S NOTICE OF
SUPPLEMENTAL AUTHORITY**

RICHARD V. SPENCER, Secretary of the
Department of Navy,

Defendant.

Defendant Richard V. Spencer, Secretary of the Navy, by and through his undersigned counsel, respectfully submits this Notice of Supplemental Authority regarding his motion for summary judgment pursuant to Fed. R. Civ. P. 56(c). Local Civil Rule 7(n).

Defendant's reply in support of its motion for summary judgment cited an order in *Rosales v. Spencer*, WDMA Case No. 17-5781 BHS, at 11 (Dkt. 43) (W.D. Wash. Jun. 4, 2019). Defendant files this notice of supplemental authority because that order was subsequently vacated (Dkt. 52). In vacating the prior order, the *Rosales* order analyzed Title VII, but as set forth in defendant's reply in this case, plaintiff Karl has abandoned his Title VII claim and is proceeding only under the Rehabilitation Act.

1 DATED this 12th day of July, 2019.

2 Respectfully submitted,

3 BRIAN T. MORAN
4 United States Attorney

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7 s/ Sarah K. Morehead
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13 Attorneys for Defendant

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee in the Office of the United States Attorney for the
3 Western District of Washington and a person of such age and discretion as to be competent to
4 serve papers;

5 I further certified that on this date, I electronically filed the foregoing with the Clerk of the
6 Court using the CM/ECF system, which will send notification of such filing to the following
7 CM/ECF participant(s):

8 Chalmers Johnson: chalmers@gsjoneslaw.com

9 I further certify that on this date, I mailed the foregoing, via United States Postal Service,
10 to the following non-CM/ECF participant(s)/CM/ECF participant(s), addressed as follows:

11 -0-

12 Dated this 12th day of July, 2019.

13 *s/ Julene Delo*

14

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